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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 DAVID MELAMED, an individual, and
12 ISSAM ALSHAER, an individual, on
13 behalf of themselves and those similarly
14 situated,

15 Plaintiffs,

16 v.

17 DISH NETWORK CORPORATION,
18 DISH NETWORK LLC, ECHOSTAR
19 TECHNOLOGIES LLC, and DOES 1
20 through 20 inclusive,

21 Defendants.

) NO. CV12-08941 DSF (SSx)
) CLASS ACTION

) ORDER RE MOTION FOR FINAL
) APPROVAL OF SETTLEMENT
) AND AWARD OF ATTORNEYS'
) FEES AND EXPENSES AND
) INCENTIVE AWARD

22 This matter comes before the Court on plaintiffs' motion for final approval of
23 the proposed settlement reached in this class action proceeding, for an award of
24 attorneys' fees and expenses, and for an incentive award.

25 The Court held a hearing on the proposed settlement on June 2, 2014, which
26 was made known to members of the Settlement Class through the notice procedures
27 employed by the parties. All interested parties were afforded an opportunity to be
28 heard.

The Court has determined that the proposed settlement is a fair, reasonable,
and adequate compromise of the claims and defenses asserted in this action, and
should therefore be approved pursuant to Federal Rule of Civil Procedure 23(e). All

1 objections to the settlement are overruled.

2 THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

3 1. The Class Action Settlement Agreement is approved as fair, reasonable,
4 and adequate;

5 2. The certification of the Settlement Class as defined in this Court's Order
6 of January 16, 2014 (Dkt 38) is confirmed for purposes of the settlement of this
7 Action;

8 3. The Court approves the form and manner of disseminating the
9 settlement Notice to the Class Members as set forth in the Agreement and finds that
10 the Notice given was accomplished as provided for by the Agreement, constitutes the
11 best notice practicable under the circumstances, and constitutes valid, due, and
12 sufficient notice to Class Members;

13 4. The Class Representatives and Class Counsel have fairly and adequately
14 represented the interests of the Settlement Class members at all times in the action;

15 5. Settlement Class members who have not timely requested exclusion
16 from the Settlement Class and any of their predecessors, successors, representatives,
17 parent companies, subsidiaries, affiliates, heirs, executors, administrators, attorneys,
18 successors, and assignees are enjoined and barred from instituting, filing,
19 commencing, prosecuting, maintaining, continuing to prosecute, directly or
20 indirectly, as an individual or collectively, representatively, derivatively, or on behalf
21 of them or in any other capacity whatsoever, any action in any state or federal court
22 or any other tribunal, forum, or proceeding of any kind against the Released Parties
23 that asserts any of the Released Claims as set forth in the Agreement;

24 6. Defendant DISH NETWORK LLC is discharged from all further
25 liability for the Released Claims to Settlement Class members;

26 7. The Action is dismissed with prejudice;

27 8. The Court reserves jurisdiction over this case for the limited purpose of
28 administering the settlement, enforcing the settlement, and related matters.

1 IN ACCORDANCE WITH THE FOREGOING, THE COURT:

- 2 1. Grants certification of the settlement class;
- 3 2. Grants final settlement approval;
- 4 3. Grants the request for attorneys' fees and expenses in the sum of
- 5 \$365,000 for the reasons stated in the Order filed concurrently; and
- 6 4. Grants an incentive award of \$1,000 for each Class Representative for
- 7 the reasons stated in the Order filed concurrently.

8 9/2/14

9 Dated: _____



Dale S. Fischer
United States District Judge